

DOCKET NO: 291587US8PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TETSUJIRO KONDO, ET AL. : EXAMINER: HEIDEMANN, JASON E.  
SERIAL NO: 10/585,255 :  
FILED: JULY 5, 2006 : GROUP ART UNIT: 2624  
FOR: IMAGE PROCESSING DEVICE :  
AND METHOD, RECORDING MEDIUM,  
AND PROGRAM

PETITION UNDER 37 C.F.R. § 1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants herein petition the Commissioner to invoke his supervisory authority to require the examiner to consider the references cited in the Information Disclosure Statement (IDS) filed on July 5, 2006. As discussed below, the IDS in conformity with the requirements of 37 C.F.R. §1.97-1.98, and copies of the IDS and the related papers are in PAIR. The above-referenced application has been allowed. References AO, AP and AQ were crossed out and not made of record by the examiner.

The references in the IDS are discussed in an English language International Search Report submitted with the IDS. Thus, in accordance with MPEP § 609.04(a)(iii), an English language foreign Office Action/Search Report satisfies the requirement for concise explanation of the relevance of the foreign language references, as required under 37 C.F.R. § 1.98. Specifically, the above cited portion of the MPEP states that “where the information listed is not in the English language, but was cited in a Search Report or other action by a

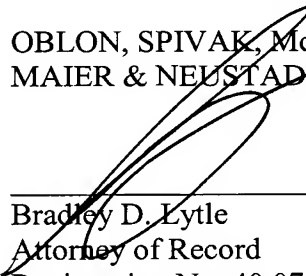
Foreign Patent Office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the Search Report or action which indicates the degree of relevance found by the foreign office.”

Thus, the IDS filed July 5, 2006 is in compliance with 37 C.F.R. §1.97-1.98 since it was timely submitted with a showing of relevancy. Accordingly, it is respectfully submitted that this Petition under 37 C.F.R. §1.181 be granted and that the Examiner consider the references listed in the IDS filed on July 5, 2006.

Although Applicants do not believe that any fee is required for the present petition, any required fee(s) should be charged to Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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